

ASSEMBLY, No. 3292

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 22, 2016

Sponsored by:

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblyman ARTHUR BARCLAY

District 5 (Camden and Gloucester)

Assemblyman TIM EUSTACE

District 38 (Bergen and Passaic)

Assemblywoman SHEILA Y. OLIVER

District 34 (Essex and Passaic)

Assemblywoman L. GRACE SPENCER

District 29 (Essex)

Assemblywoman CLEOPATRA G. TUCKER

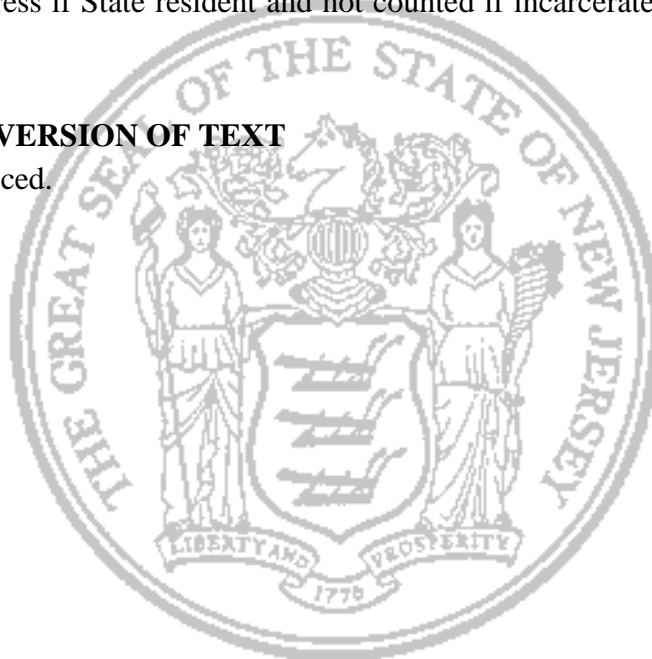
District 28 (Essex)

SYNOPSIS

Requires incarcerated individual be counted for redistricting purposes at previous address if State resident and not counted if incarcerated and not State resident.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/4/2016)

1 AN ACT concerning the use of certain federal decennial census
2 information for redistricting purposes and supplementing Title
3 52 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. Notwithstanding any law, rule or regulation to the contrary,
9 the population count used by the Apportionment Commission to
10 create legislative districts pursuant to Article IV, Sections II and III
11 of the New Jersey Constitution, used by the New Jersey
12 Redistricting Commission to create Congressional districts pursuant
13 to Article II, Section II of the New Jersey Constitution, and used to
14 conduct any other form of redistricting required to be conducted
15 pursuant to law shall not include an individual incarcerated in a
16 State or federal correctional institution in this State on the day the
17 federal decennial census is conducted in this State if that individual
18 was not a resident of this State before incarceration.

19 The population count used for redistricting purposes shall,
20 however, include an individual incarcerated in a State or federal
21 correctional institution in this State on the day the federal decennial
22 census is conducted in this State if that individual was a resident of
23 this State before incarceration. Such an individual shall be counted
24 at the street address and census block that corresponds to the
25 individual's last known address before incarceration.

26
27 2. This act shall take effect immediately.

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30 STATEMENT

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32 This bill requires that for the purposes of establishing legislative
33 and Congressional districts, incarcerated persons would be counted
34 in the federal census as if they resided at their last known address
35 prior to incarceration. Incarcerated persons who were not State
36 residents before incarceration would not be included in the
37 population count for the district.

38 Specifically, the bill provides that the population count used by
39 the Apportionment Commission to create legislative districts, by the
40 New Jersey Redistricting Commission to create Congressional
41 districts, and used to conduct any other form of redistricting
42 required to be conducted is not to include an individual incarcerated
43 in a State or federal correctional institution in this State, on the day
44 the federal decennial census is conducted in this State, if that
45 individual was not a resident of this State before incarceration.

46 Under the bill, the population count used for redistricting
47 purposes must include an individual incarcerated in a State or
48 federal correctional institution in this State on the day the census is

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1 conducted in this State if that individual was a resident of this State
2 before incarceration. Such an individual must be counted at the
3 street address and census block that corresponds to the individual's
4 last known address before incarceration.

5 This bill is similar to legislation enacted in 2010 and 2011 in
6 Delaware, Maryland, New York, and California.